

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

NASNA 911 Apps Request

§
§
§
§
§
§
§
§

Public Notice (rel. Dec. 19, 2016)
RM Docket No. 11780

INITIAL COMMENTS OF TEXAS 9-1-1 ENTITIES

The Texas 9-1-1 Alliance,¹ the Texas Commission on State Emergency Communications,² and the Municipal Emergency Communication Districts Association³ (collectively, the “Texas 9-1-1 Entities”) respectfully submit the following very brief initial comments in the Federal Communication Commission’s (the “Commission’s”) above-referenced proceeding that seeks comments on the October 18, 2016 letter request from the National Association of State 9-1-1 Administrators (“NASNA”) for the Commission to initiate a

¹ The Texas 9-1-1 Alliance is an interlocal cooperation entity composed of 26 Texas emergency communication districts with E9-1-1 service and related public safety responsibility for more than approximately 63% of the population of Texas. These emergency communication districts were created pursuant to Texas Health and Safety Code Chapter 772 and are defined under Texas Health and Safety Code Section 771.001(3)(B).

² The Texas Commission on State Emergency Communications (“CSEC”) is a state agency created pursuant to Texas Health and Safety Code Chapter 771, and by statute is the state program authority on emergency communications. CSEC’s membership includes representatives of the Texas 9-1-1 Entities and the general public, and directly oversees and administers the Texas state 9-1-1 program under which 9-1-1 service is provided in 81% of Texas’ 254 counties, covering approximately 27% of the state’s population.

³ The Municipal Emergency Communication Districts Association (“MECDA”) is an association of 26 municipal emergency communication districts, as defined under Texas Health and Safety Code § 771.001(3)(A), that are located primarily in the Dallas-Fort Worth area.

proceeding to address issues related to how smartphone 9-1-1 applications interface with 9-1-1 systems.⁴

I. The Commission should promptly initiate the 9-1-1 applications proceeding.

For the reasons stated by NASNA in its October 18, 2016 letter request and for the reasons stated by the Texas 9-1-1 Alliance in its May 9, 2016 letter on the same subject matter (incorporated herein by reference and attached as Exhibit A),⁵ the Commission should promptly initiate the 9-1-1 applications proceeding.

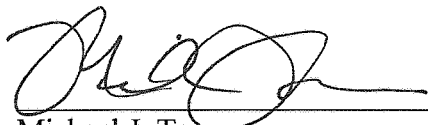
II. Conclusion

The Texas 9-1-1 Entities appreciate the opportunity to provide these initial comments on these important matters, and respectfully request that the Commission promptly initiate the 9-1-1 applications proceeding.

⁴ *Public Safety and Homeland Security Bureau Seeks Comment on Request of the National Association of State 911 Administrators to Address Issues related to 911 Applications for Smartphones*, RM Docket No. 11780 (rel. Dec. 19, 2016) (“Notice”) (available at <https://ecfsapi.fcc.gov/file/1219059127111/DA-16-1405A1.pdf>).


⁵ *See, In the Matter of Framework for Next Generation 911 Deployment*, PS Docket No. 10-255, Concerns Regarding Impact of 9-1-1-related Smartphone Applications and Related Public Safety Services on Delivery and Processing of Requests for Emergency Assistance (May 9, 2016) (available at <https://ecfsapi.fcc.gov/file/60001841042.pdf>).

Respectfully submitted,



Michael J. Tomsu
Vinson & Elkins L.L.P.
2801 Via Fortuna, Suite 100
Austin, Texas 78746
512-542-8527
512-236-3211 (fax)
mtomsu@velaw.com

On behalf of the Texas 9-1-1 Alliance

*by mjt by permission*

Patrick Tyler
General Counsel
333 Guadalupe Street, Suite 2-212
Austin, Texas 78701-3942
512-305-6915
512-305-6937 (fax)
Patrick.tyler@csec.texas.gov

On behalf of the Texas Commission on State Emergency Communications



Elizabeth Cole
President

by mjt by permission

On behalf of the Municipal Emergency Communication Districts Association

On the comments:

Richard A. Muscat
Bexar Metro 9-1-1 Network District

February 2, 2017

Exhibit A



Texas 9-1-1 Alliance

2600 Airport Freeway
Fort Worth, TX 76111
www.texas911alliance.org



May 9, 2016

Honorable Tom Wheeler, Chairman
Honorable Mignon Clyburn, Commissioner
Honorable Jessica Rosenworcel, Commissioner
Honorable Ajit Pai, Commissioner
Honorable Michael O'Rielly, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Concerns Regarding Impact of 9-1-1-related Smartphone Applications and Related
Public Safety Services on Delivery and Processing of Requests for Emergency Assistance

Dear Chairman Wheeler and Commissioners:

The Texas 9-1-1 Alliance¹ (the "Alliance") has a long history of working with service providers and other stakeholders involved in emergency communications to ensure that 9-1-1 service continues to work effectively and efficiently. While the Alliance remains diligent in exploring ways to improve the delivery and processing of a request for emergency assistance, the recent introduction of new smartphone 9-1-1-related applications and related consumer services has created significant concerns on the part of the Alliance membership.

Based on our initial experiences to date with a growing array of new 9-1-1-related applications and services, certain operational and interoperability questions continue to arise, in part as a result of the uncertain current regulatory scheme applicable to these applications and services. Given the critical nature of public safety, the Alliance respectfully requests that the Commission consider the appropriate manner in which to address the following concerns regarding how these applications and services interface with existing 9-1-1 systems, which include, at a minimum:

- Ensuring that what is being added by way of a new service will not harm in any way how consumers currently access 9-1-1 service from a smartphone device.

¹ The Texas 9-1-1 Alliance is an interlocal cooperation entity composed of 26 Texas Emergency Communication Districts with E9-1-1 service and public safety responsibility for approximately 63% of the population of Texas. These emergency communication districts were created pursuant to Texas Health and Safety Code Chapter 772 and are defined under Texas Health and Safety Code § 771.001(3)(B).

- Ensuring that the 9-1-1-related features of a new smartphone application or service have been thoroughly tested to specific standards, including interoperability and downstream dispatching considerations.
- Ensuring that 9-1-1 application providers are factually accurate in their marketing materials and do not mislead the public regarding how the product works, given the critical nature of 9-1-1 service and a request for emergency assistance.
- Prohibiting inaccurate claims from a 9-1-1 application provider that a state, regional, or local 9-1-1 governmental authority has approved, or supports or endorses, any particular product.
- Prohibiting inaccurate assertions from a 9-1-1 application provider that the lack of cellular or broadband coverage in any geographic area is a failure of the state, regional, or local 9-1-1 system.
- Ensuring that the addition of a "9-1-1 call button," a dedicated sequence of button use for 9-1-1 calling or 9-1-1 texting, or buttons for individual types of emergencies, will not accidentally generate repeated pocket dialed 9-1-1 calls or pocket dialed 9-1-1 texts from the consumer.
- Limiting or prohibiting applications designed to generate duplicate requests for emergency assistance "automatically" (e.g., having the smartphone generate a separate text-to-9-1-1 message when a person dials 9-1-1; or automatically sending a smartphone location link in the body of a text-message that could be viewed as a malicious link; or automatically sending a pre-recorded message that may go on too long or indefinitely; etc.).
- Providing for the development of specific standards or best practices for communicating and displaying supplemental consumer or incident information in the context of a 9-1-1 call for dispatching purposes, with the intent of improving emergency response.

Thank you for your attention to these critical issues, which have a profound impact on public safety. The Alliance membership stands ready to work with the Commission to develop reasonable solutions, so that the current long-standing expectation of the public of accurate and timely response to a request for emergency assistance remains unaffected.

Respectfully submitted,



Bill Buchholtz
Chairman